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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00554 EJD
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER CONTINUING THE STATUS
v.)	CONFERENCE FROM APRIL 23, 2012
)	AND EXCLUDING TIME FROM APRIL
ROBERT DEKETT,)	23, 2012 TO AUGUST 6, 2012
)	
Defendant.)	
)	

The parties hereby request that the Court enter this order continuing the status conference from April 23, 2012 to August 6, 2012, and excluding time from April 23, 2012 to August 6, 2012. The parties, including the defendant, stipulate as follows:

1. The defendant understands and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161, for the period from April 23, 2012 to August 6, 2012 based upon the need for the defense counsel to investigate further the facts of the present case and determine what, if any, additional motions are appropriate. In addition, this case has been reassigned to new government counsel who need additional time to become familiar with the facts of the case to engage in meaningful negotiation with defense counsel. Therefore, for

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1 effective preparation of defense counsel, the parties agree that the status conference currently
2 scheduled for April 23, 2012 should be continued to August 6, 2012 at 1:30 a.m.

3 2. The attorney for defendant joins in the request to exclude time under the Speedy Trial
4 Act, 18 U.S.C. § 3161, for the above reasons, and believes the exclusion of time is necessary for
5 effective preparation of the defense; believes the exclusion is in the defendant's best interests;
6 and further agrees that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be for
7 the period from April 23, 2012 to August 6, 2012.

8 Given these circumstances, the parties believe, and request that the Court find, that the
9 ends of justice are served by excluding from calculations the period from April 23, 2012 to
10 August 6, 2012 outweigh the best interests of the public and the defendant in a speedy trial under
11 the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

12 IT IS SO STIPULATED.

13 DATED: 4/16/12

14 /s/
JACK GORDON
Attorney for Defendant

16 DATED: 4/16/12

17 /s/
SUSAN KNIGHT
HANLEY CHEW
Assistant United States Attorney
Attorney for Plaintiff

19 ~~PROPOSED~~ ORDER

20 Having considered the stipulation of the parties, the Court finds that: (1) the defendant
21 understands and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18
22 U.S.C. § 3161, from April 23, 2012 to August 6, 2012, based on the need for the defense counsel
23 to investigate further the facts of the present case, review the discovery that the government has
24 already provided and will provide and evaluate further possible defenses and motions available
25 to the defendant; (2) the exclusion of time is necessary for effective preparation of the defense
26 and is in the defendant's best interests; and (3) the ends of justice are served by excluding from
27 Speedy Trial calculations the period from April 23, 2012 to August 6, 2012.

1 Accordingly, the Court further orders that (1) the status conference currently scheduled
2 for April 23, 2012 is vacated and that the next appearance date before this Court is scheduled for
3 August 6, 2012 at 1:30 p.m.; and (2) the time from April 23, 2012 to August 6, 2012 is excluded
4 from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161.

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6 IT IS SO ORDERED.

7 DATED: April 17, 2012


8 THE HONORABLE EDWARD J. DAVILA
9 United States District Court Judge
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